

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**DAVID HYKE, Individually and as
the Personal Representative of the
Estate of Floren Hyke, DANA
SAMWAY, and DIXIE LANDRETH**

Plaintiffs,

v.

**OHIO NATIONAL LIFE INSURANCE
COMPANY,**

Defendants.

CASE NO. 8:10CV263

ORDER

This matter is before the Court on its own motion. Because the Amended Complaint, at paragraph 3, indicates that on February 15, 2002, decedent Floren Hyke changed the Policy's beneficiaries from Shirley Hyke to David Hyke, Dixie Landreth and Dana Samway; and because the Court has determined that the Policy had a cumulative limit of \$100,000.00 in benefits; the Court requests supplemental briefing from the parties regarding the Court's jurisdiction. Specifically, the Court questions whether the requisite jurisdictional amount in controversy is satisfied if any proceeds are to be distributed in equal shares among the three individual Plaintiffs, rather than being paid into the estate of the decedent. Accordingly,

IT IS ORDERED:

The parties will submit simultaneous briefs, and any evidence, addressing the question of the requisite jurisdictional amount in controversy on or before August 19, 2011.

DATED this 25th day of July, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge